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SUMMARY

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SOCIAL LAWS

OF

CANADA AND ONTARIO



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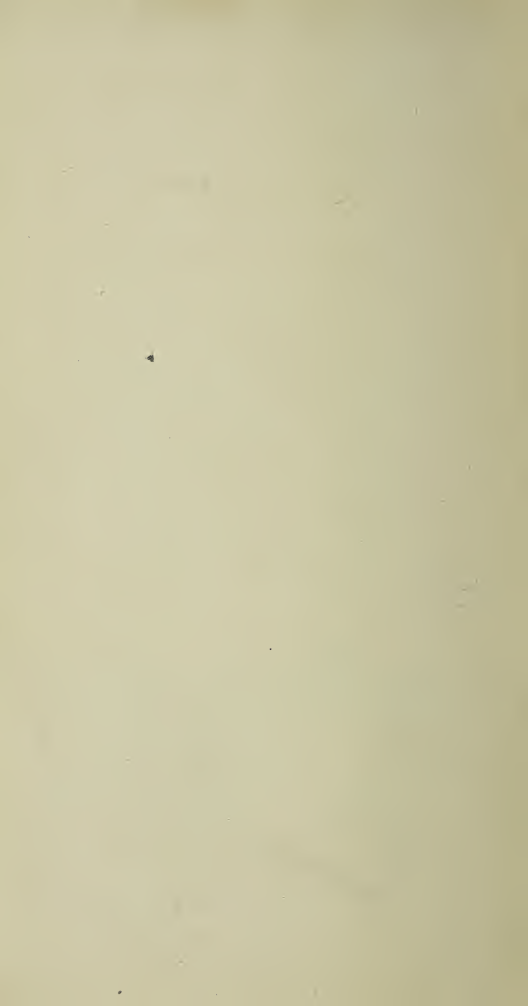
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# SOCIAL LAWS

— OF —

## CANADA AND ONTARIO



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*Summarized for the use of*  
**CHILDREN'S AID SOCIETIES**  
*and SOCIAL WORKERS.*

*By*

**J. J. KELSO**, *Superintendent of Neglected  
and Dependent Children of Ontario,  
Parliament Buildings, Toronto*







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## PREFACE.

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**L**AWS can never be observed or enforced unless they are known and understood by the people, especially by social workers who are daily confronted with the most difficult problems in human relationships. This collection is intended to serve as a primary or ready reference. To give extensive or verbatim extracts would mean a large volume instead of a pocket edition. If more precise information is desired the Dominion Criminal Code and the Revised Statutes of Ontario can be consulted in any public library or lawyer's office.

In this connection it is well to remember that EDUCATION is far more effective than LAW in the prevention of crime or the cure of social ills. Law merely punishes or restrains. Education takes away the desire to offend, and in its moral aspect inspires men to be honorable and just in their dealings with each other.—*J. J. Kelso.*

Toronto, Feb. 25, 1914.

289283







FROM THE

# Dominion Criminal Code.

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The following extracts are taken from the Dominion Criminal Code:

## CHILD UNDER SEVEN.

Sec. 17 states that no child under seven shall be convicted of an offence.

## CHILD UNDER FOURTEEN.

Sec. 18 states that no child under fourteen shall be convicted unless he was competent to know the consequences of his conduct and to appreciate that it was wrong.

## IDIOTIC OR INSANE.

Sec. 19 states that no imbecile or insane person shall be convicted of an offence, the consequences of which they were incapable of understanding.

## IGNORANCE NO EXCUSE.

Sec. 22 states that ignorance of the law is not sufficient excuse for an offence committed.



## CITIZEN CAN ARREST.

Sec. 36 states that any person can without warrant make an arrest when an offence is being committed at night.

## CAN DETAIN OFFENDERS.

Sec. 46 states that any person who witnesses a breach of the peace is justified in interfering to prevent its continuance and may detain the offender in order to give him into the custody of a peace officer.

## CORRECTION OF CHILD.

Sec. 63 authorizes any parent or schoolmaster to use force by way of correction toward any child, pupil or apprentice, provided that such force is reasonable under the circumstances.

## COUNSELLING AN OFFENCE.

Sec. 70 states that anyone is guilty as a participant who counsels an offence or procures another to commit the offence.

## ASSISTING AN OFFENDER.

Sec. 71 states that it is an offence to assist an offender to escape. A wife cannot assist a husband nor can a husband assist a wife.

## KNIVES AND PISTOLS.

Sec. 118 of the Criminal Code as amended in 1913 makes it a criminal of-



fence to carry about a pistol, air gun, dagger, bowie knife, metal knuckles or other offensive weapons.

It is also an offence to sell, give, or lend these weapons, or to point a gun at another person.

A dealer can only sell to those having a permit and must keep a complete record of the transaction.

### SELLING PISTOLS TO MINORS.

Sec. 119 was amended 1913, making it an offence to give or sell; a pistol, air gun or ammunition to a youth under 16.

### DRUGS FOR PRIVATE DISEASES.

An amendment makes it an offence to advertise, offer to sell or keep for sale any medicine, drug, or article intended to prevent conception or cause a miscarriage.

To publish advertisements of drugs or articles for restoring virility or curing diseases of the generative organs is illegal.

### PRIZE FIGHTS.

Sections 104 to 108 prohibit prize-fighting, promoting or advertising prize fights or acting in any advisory or official capacity. For an ordinary fight or quarrel where there is no money exchanged the penalty is reduced.



## INDECENCY.

Sec. 205 makes it an offence to commit any indecent act in the presence of one or more persons, or to perform an indecent act intending thereby to insult or offend any person.

## THEATRICAL PERFORMANCES.

Sec. 208 prohibits immoral theatrical performances. Any person who takes part in an immoral performance or appears in an indecent costume is guilty of an offence.

## FRAUDULENT SCHEMES.

Sec. 209 makes it an offence to use the mails for any letter or circular concerning schemes devised or intended to deceive and defraud the public.

## PROCURING FOR IMMORAL PURPOSES.

Sec. 216 is amended creating a penalty of five years for anyone who procures or attempts to procure a girl or woman for immoral purposes, or who gives any girl or woman drugs or intoxicating liquor for the purpose of stupifying or overpowering her.

## OWNERS OF IMMORAL RESORTS.

Sec. 228 as amended 1913 makes liable to fine and imprisonment anyone who as landlord or tenant permits his premises to be used as a disorderly house.



## FREQUENTERS OF DISORDERLY HOUSES.

Sec. 229 as amended makes anyone found in a disorderly house liable to conviction.

## BETTING DEVICES.

Sec. 235 as amended makes it an offence to buy, sell, use or exhibit any device or apparatus for gambling or betting.

## WIFE DESERTION.

Sec. 242 as amended makes it a criminal offence for a husband and father to desert or fail to support his family.

## DEFRAUDING HOTELS.

Sec. 407 as amended makes it an offence for any person to fraudulently obtain board and lodging at any hotel, boarding-house or restaurant.

## NUISANCES.

Sections 221 and 222 state that it is an offence to do, or omit to do, any legal duty endangering the lives, health, property or comfort of the public, or by which the public are obstructed in the exercise or enjoyment of any right common to all.

## SELLING UNFIT FOOD.

Sec. 224 makes it an offence to expose for sale any food known to be unfit for human food.



## VAGRANCY.

Sec. 238 defines vagrancy in broad terms. It includes any loose, idle or disorderly person who has no visible means of subsistence.

Who being able to work and thereby maintain himself and family wilfully refuses and neglects to do so.

Who exhibits any indecent exhibition in a public place.

Who begs for alms without a certificate signed by a clergyman or two justices authorizing him to do so.

Who loiters in a public place, uses insulting language or causes a disturbance by screaming, swearing or being drunk.

Who tears down or defaces signs, breaks windows, doors, walls or destroys fences.

Who is a common prostitute and cannot give a satisfactory account of herself, or who is a keeper or inmate of a disorderly house.

Under recent amendment any such person can on conviction be given an indeterminate sentence of two years less one day.

Old age or infirmity shall not be sufficient to justify conviction.

## ABANDONING AN INFANT.

Sec. 245 makes it an offence punishable by three years imprisonment to abandon or expose any child under the age of two years, whereby its health is injured or its life endangered.



## KILLING INFANT.

Sec. 251 defines the killing of an infant as homicide when it dies in consequence of injuries received before, during or after birth.

## ATTEMPTED SUICIDE.

Sec. 270 states that anyone who attempts to commit suicide is guilty of an indictable offence and liable to two years imprisonment.

## CONCEALING DEATH OF INFANT.

Sec. 272 makes it an offence to dispose of the dead body of a child with intent to conceal the fact of its birth.

## ASSAULTING GIRL OR WOMAN.

Sec. 292. Everyone is guilty of an indictable offence and liable to two years imprisonment and to be whipped who indecently assaults any female. The crime of rape is punishable by death or imprisonment for life.

## CHILDREN CANNOT CONSENT.

Sec. 294. It is no defence to a charge for an indecent assault on a young person under the age of fourteen to prove that he or she consented to the act.

## VIOLATING YOUNG GIRL.

Sec. 301. Anyone is liable to imprisonment for life and to be whipped who carnally knows any girl under the age of



fourteen years. For attempting the penalty is two years and whipping.

### SUPPLYING DRUGS.

Any person who supplies drugs or instruments for unlawful purposes is liable to serious penalty. Any person who attempts to procure a miscarriage is liable to life imprisonment. Sec. 303-6.

### BIGAMY.

Under sec. 308 any person who commits bigamy is liable to seven years imprisonment. A pretended marriage is subject to the same penalty.

### ABDUCTION.

Under sec. 315 any person who takes away a girl under sixteen whether she consents or not, from her parents or anyone having the lawful care or charge of her is liable to five years imprisonment.

### HUSBAND AND WIFE.

Under sec. 354 husband and wife cannot be accused of theft toward each other, but if living apart they become liable. No one can lawfully enter into agreement with a husband or wife who live together to defraud or dispossess the other.

### STEALING DOG OR OTHER ANIMAL.

Under sec. 370 to steal a dog, bird, beast or other animal is subject to penalty.



## SHRUBS OR VEGETABLES.

Anyone who steals a tree, shrub, plant or vegetable growing in any park, pleasure ground, garden, avenue or vicinity of a residence is liable to penalty.

## CHEATING AT PLAY.

Under sec. 442 any person is liable to three years imprisonment who, with intent to defraud, cheats in playing at any game, or in betting.

## TELLING FORTUNES.

Under sec. 443 a year's imprisonment may be meted out to any person who pretends to tell fortunes or who exercises any kind of witchcraft, enchantment or conjuration.

## ROBBERY.

Robbery is theft accompanied with violence or threats of violence and is more heavily punishable than theft.

## THREATENING.

Under sec. 453 anyone who accuses another of crimes or threatens to so accuse with intent to extort or gain anything may be sent to prison for fourteen years.

## FORGERY.

Forgery is defined as the making of a false document, knowing it to be false, with the intention that it shall be used



or acted upon as genuine to the prejudice of someone else.

Forgery is punishable by heavy penalty, even up to imprisonment for life. Secs. 466 to 478.

### SETTING FIRE TO BUILDINGS.

Imprisonment for life may be visited upon anyone who wilfully sets fire to any building or structure whether completed or not. Threatening to set fire is also a serious offence. Secs. 511 to 516.

### CRUELTY TO ANIMALS.

Two years imprisonment may be given to anyone who wilfully attempts to kill, maim, wound, poison, or injure any cattle or the young thereof.

It is also an offence to wilfully injure any dog, bird, beast or other animal or threaten to injure cattle.

### BEATING OR OVER-DRIVING.

A fine of fifty dollars, or three months imprisonment may be imposed on anyone who

Cruelly beats, binds, ill-treats, abuses, over-drives or tortures any cattle, poultry, dog, bird or other animal.

Encourages or assists at dog or cock fights.

### RAILWAYS.

Railways that undertake to convey cattle must not confine them in the cars



for a longer period than twenty-eight hours without unloading them for rest, water and feeding. While the cattle are resting for five hours, the cars must be thoroughly cleaned. Secs. 536 to 545.

The time may be extended to 36 hours if specially designed cars are used. (Amendment).

### YOUTHFUL OFFENDERS.

Sec. 644. The trials of young persons, apparently under the age of 16 years, shall take place without publicity and separately and apart from the trials of other accused persons and at suitable times to be designated and appointed for that purpose.

### YOUTHS UNDER ARREST.

Under sec. 28 of the Prisons and Reformatories Act of Canada, young persons apparently under sixteen shall, when arrested be kept apart from older persons, and shall not be confined in the lock-ups or police-stations.

### JUVENILE COURT ACT.

By special regulation the Dominion Act relating to the trial of juvenile offenders may be put into operation. So far the only places in Ontario where the act has been proclaimed are Toronto and Ottawa. Many of its provisions are, however, contained in the Ontario Act, dealing with children.



## TOBACCO TO MINORS.

Chapter 73 of the Dominion Criminal Code regulates the sale of tobacco.

Anyone is liable to punishment who gives, sells or furnishes to a youth of sixteen any cigarettes, cigarette paper or tobacco. (Under Ontario Act the age is eighteen).

A constable or other authorized person shall confiscate any cigarettes or tobacco he sees in the possession of a youth under sixteen.

Any youth who uses or has in his possession cigarettes or tobacco may be summoned and reprimanded and fined for a second offence.

The youth can also be required to tell who gave or sold the tobacco to him.

Automatic machines for the sale of cigarettes or cigars are not permitted.



# Ontario.

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## CHILDREN'S PROTECTION ACT.

(R.S.O. Chap. 231.)

Under this Act city and county Children's Aid Societies are organized and authorized by Government Order in Council to act officially for the protection of neglected and dependent children.

There is a general director for this work known as the Superintendent of Neglected and Dependent Children.

A Children's Aid Society can deal with any child under sixteen who is in need of protection. It receives the right of guardianship through the regularly constituted courts.

Neglected children may be apprehended by the society without warrant and taken for temporary care to a children's shelter until brought before the judge.

Under section 11 any child placed in a Children's Home and not maintained by parent or guardian may be committed to the guardianship of the society.



## MAINTENANCE.

Under section 12 the city, county or separated town is made liable for the maintenance of a child at the rate of two dollars per week or more.

## PARENT LIABLE.

Under sec. 13 a judge may order the parent of a child who has been committed to contribute towards its maintenance and in default of payment may order imprisonment of the parent.

## FOSTER HOMES.

Under section 14 children committed to the society are expected to be placed in foster homes as speedily as possible.

## IN SPECIAL CASES.

If it is found that a child placed in a foster home is defective mentally or requires special training the superintendent may order such child to be transferred to a suitable institution.

## ILL-TREATING CHILDREN.

Under sec. 15 any person who ill-treats, neglects, abandons, or fails to support a child for whom he is responsible may be sentenced to a term in prison not exceeding one year.



## STREET TRADES.

Sec. 16. No girl under sixteen years of age and no boy under ten years of age shall engage in or be licensed, or be permitted to engage in any street trade or occupation.

## ON STREETS AT NIGHT.

Sec. 17 provides that no child under sixteen shall be permitted to loiter in any public place after nine o'clock in the evening.

## ALLOWING CHILDREN TO BEG.

Under sec. 18 any person who causes or procures a child to be in any public place for the purpose of begging whether under the pretence of performing or offering anything for sale or otherwise is liable to imprisonment.

## ENTERTAINMENTS.

Children are not allowed to sing, play, or perform for profit between nine o'clock in the evening of one day and seven o'clock of the following morning.

## LICENSE TO PERFORM.

Anyone desiring to have children take part in a paid performance must secure a license from the head of the municipality.



Licenses are not to be granted for children under ten to appear as paid performers.

#### INTERFERING WITH WARDS.

Under sec. 20 any person who interferes with a ward of a Children's Aid Society by encouraging him to leave his foster home or situation is liable to a penalty. Legal age is twenty-one.

#### JUVENILE OFFENDERS.

The lieutenant-governor may appoint commissioners with the powers of magistrates to hear and determine complaints and to enforce any of the provisions of the Children's Act, or against juvenile offenders apparently under sixteen years of age.

Children are to be dealt with and their cases disposed of in premises apart from and in a manner entirely distinct from ordinary police court procedure.

When a complaint is made or a charge is pending against a child, notice is to be given at once to the executive officer of the Children's Aid Society so that he can make a proper investigation of the circumstances.

#### RIGHT OF APPEAL.

Under sec. 27 when a child has been made a ward of the Children's Aid Society



and an objection is raised by a parent the appeal must be decided by a judge of the High Court Division, and if in his opinion the child has been neglected or deserted he may decline to make order.

### VISITING CHILDREN.

Children placed in foster homes are visited and their condition and progress reported upon by agents appointed by the superintendent.

### JUVENILE IMMIGRATION.

Societies engaged in the work of bringing children into Ontario for the purpose of placing them in foster homes must obtain permission to do so from the government.

They are given powers of guardianship over such children and are responsible for their proper care until they are eighteen years of age.

Special restrictions are imposed against bringing defective children into the province.

For further information address Superintendent Neglected and Dependent Children of Ontario, Parliament Buildings, Toronto.



## PROTECTION OF INFANTS.

An Act to regulate maternity boarding-houses and for the protection of infant children, chapter 230, Revised Statutes.

Under this Act the Medical Officer of Health of the Municipality is made inspector with power and authority to regulate and license such establishments as maternity and infant boarding-houses.

No person shall receive for hire or reward one or more infants under the age of three years for the purpose of nursing or maintaining such infants for a longer period than 24 hours unless they have received a license to do so from the Medical Officer of Health.

A register must be kept giving the names and other particulars and showing what disposal has been made of infants.

## ADOPTIONS.

The adoption of infants from these institutions must be made with the consent of the Children's Aid Society or the Superintendent of Neglected Children in order that children may not be bartered away for a money consideration.



# AN ACT RESPECTING INFANTS

R.S.O., Chapter 153.

2.—(1) The Supreme Court or the Surrogate Court, upon the application of the mother of an infant, who may apply without a next friend, may make such order as the court sees fit regarding the custody of the infant and the right of access thereto of either parent, having regard to the welfare of the infant, and to the conduct of the parent, and to the wishes as well of the mother as of the father, and may alter, vary or discharge the order on the application of either parent, or, after the death of either parent, of any guardian appointed under this Act, and in every case may make such order respecting the costs of the mother and the liability of the father for the same, or otherwise as the court may deem just.

3.—(1) The father of a child under the age of twenty-one years, whether born at the time of the decease of the father or at the time *en ventre sa mere*, by deed or by his last will and testament in such manner and from time to time as he shall think fit, may dispose of the custody



and education of the child, while he remains under the age of twenty-one years or for any lesser time, to any person in possession or remainder.

(3) The person to whom the custody of the child is so committed may maintain an action against any person who wrongfully takes away or detains him for the recovery of the child and for damages for such taking away or detention for the use and benefit of the child 1 Geo. V., chap., 35, s. 3.

(4) In questions relating to the custody and education of infants the rules of equity shall prevail.

### GUARDIANS.

26.—(2) If an infant has no father living or any guardian authorized by law to take the care of his person and the charge of his estate, if any, upon the written application of a friend of the infant residing within the jurisdiction of the Surrogate Court and after proof of twenty days' public notice of the application in some newspaper published within the county or district, the court may appoint some suitable and discreet person or persons to be guardian or guardians of the infant, whether the infant is or is not entitled to any property.

28.—(1) On the death of the father of an infant, the mother, if surviving, shall



be the guardian of the infant, either alone, when no guardian has been appointed by the father, or jointly with any guardians appointed by the father.

(2) When no guardian has been appointed by the father, or if the guardian appointed by the father is dead, or refuses to act, the Supreme Court or Surrogate Court may from time to time appoint a guardian or guardians to act jointly with the mother.



## INDUSTRIAL SCHOOLS.

Under the Industrial Schools Act, Revised Statutes, chapter 271, any child between the ages of ten and sixteen guilty of serious offences, and beyond the control of a Children's Aid Society, can be committed to an industrial school. The cost of maintenance, fifty cents per day for each pupil, is divided between the municipality and Government.

The sentence is indefinite—average stay in the school about eighteen months. The school can recall any ward under twenty-one years of age whose conduct is not satisfactory.

The schools in Ontario are:—

Victoria School for boys, Mimico, Ont.—  
Supt. Mr. C. Ferrier.

Alexandra School for girls, East Toronto—Supt. Miss L. Brooking.

St. John's School for Catholic boys, East Toronto—Supt., Brother Abnis.

St. Mary's School for Catholic girls, Toronto—Supt., The Mother Superior.

The superintendent of Neglected and Dependent Children is the Inspector of Industrial Schools and is ready at any time to give advice to parents or workers desiring the admission or parole of children.



## SCHOOL ATTENDANCE.

The Act regulating school attendance will be found in the Revised Statutes of Ontario, chapter 274. Its chief provisions are:—

1. Every child between 8 and 14 years of age shall attend school for the full term during which the school..... is open each year, unless excused for reasons mentioned in the Act.

2. No child under the age of 14 years who has not a valid excuse under the Act shall be employed by any person during school hours, while the Public School .....is in session, and any person who employs a child in contravention of this section shall incur a penalty not exceeding twenty dollars for each offence.

3. A parent or guardian or other person having the charge or control of any child between the ages of 8 and 14 years. who neglects or refuses to cause such child to attend school, unless the child is excused from attending as provided by this Act, shall incur a penalty of not less than five dollars or more than twenty dollars.



## MOTION PICTURE HOUSES.

There is an Ontario Act regulating halls, theatres and cinematographs. See Revised Statutes, chapter 236.

Under it houses and operators have to be licensed and films used must be censored by the Board of Examiners.

### ATTENDANCE OF CHILDREN.

10. Children under the age of 15 years, unaccompanied by adults, shall not be permitted to attend any exhibition by cinematograph, moving picture machine, or other similar apparatus at which exhibition an admission fee is charged.

### AMENDED APRIL, 1914.

Section 10 of *The Theatres and Cinematographs Act* is repealed and the following substituted therefor:—

10. Unless accompanied by its parent or guardian or by an adult member of the household to which he belongs no child under the age of fifteen years shall be permitted to attend any theatre or any exhibition by cinematograph, moving picture machine or other similar apparatus at which theatre or exhibition an admission fee is charged.



## BILLIARD AND POOL ROOMS.

An Act to prevent minors from frequenting billiard rooms will be found in the Revised Statutes, chapter 216. It deals specially with the exclusion of boys.

2. The keeper of a licensed billiard, pool or bagatelle room, kept directly or indirectly for hire or gain, who admits a minor under the age of 18 years thereto, or allows him to remain therein, without the consent of his parent or guardian, shall incur a penalty not exceeding \$10, for the first, and not exceeding \$20 for each subsequent offence.

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## MINORS AND PAWNBROKERS

Under Revised Statutes, chapter 176.

No pawnbroker shall

Purchase, receive or take any goods in pledge from any person who appears to be under the age of fifteen years, or to be under the influence of liquor.

Purchase or take in pawn, pledge or exchange the note or memorandum aforesaid of any other pawnbroker.

Employ any servant or other person under sixteen years of age to take any pledge.



## FACTORIES AND SHOPS.

Conditions of employment and regulations concerning child labor are dealt with in an Ontario Act known as "An Act for the Protection of Persons Employed in Factories, Shops and Office Buildings." It will be found in the Revised Statutes, chapter 229.

### REGISTER OF EMPLOYEES.

The employer in every factory and shop is required to keep a register of all children, youths, girls or women who are employed therein, and such register shall be opened to the inspector whenever called for.

### PLANS OF FACTORY BUILDING.

Before erecting or altering any building intended for a factory the owner must have the plans approved of by the factory inspector.

### FACTORIES TO BE REPORTED.

Every person who proposes to start a factory must file with the factory inspector full particulars of his plans and intentions.

### INSPECTORS.

Inspectors for the enforcement of this Act are appointed by the Government and



they are given all necessary authority to enter and inspect, and investigate factory conditions.

Anyone who obstructs an inspector or attempts to conceal a child or young person who is employed on the premises is liable to a penalty.

### CHILDREN.

No child under fourteen shall be employed in a factory.

### FRUIT SEASON.

A child between the age of twelve and fourteen years may be employed during the months of June 15, July, August, September 15, in gathering and preparing fruits or vegetables for canning or desiccating purposes. For indoor occupation a separate room has to be provided for these children.

A child of any age may be employed to gather fruits or vegetables provided such employment is solely out of doors.

### CHILDREN IN SHOPS.

Children between twelve and fourteen years of age may be employed in shops, but if so employed during school hours a permit must be secured from the school inspector.



## DANGEROUS EMPLOYMENT.

The Lieutenant-Governor in Council may by proclamation prohibit the employment of girls under eighteen or youths under sixteen in factories, the work in which is considered dangerous or unwholesome.

## SEATS TO BE PROVIDED.

In any shop in which girls or women are employed seats must be provided and permission given the employees to sit down when not busily engaged.

No rule or threat must be used to prevent a girl or woman from using such chairs or seats.

## HOURS OF EMPLOYMENT.

No child, young person or woman shall be employed for more than ten hours in one day unless where they work extra time to make up for a Saturday half-holiday.

Factories are not to start earlier than seven o'clock or work later than half-past six o'clock except under a special permit and an hour must be set apart at noon for lunch.

## LUNCH ROOMS.

The inspector may order an employer to provide a suitable room in which persons employed in the factory may eat their lunch.



## SANITARY REGULATIONS.

Full provision is made for suitable lavatories, etc., for the separate use of the sexes.

### HEAT AND VENTILATION.

Every factory must be kept in a clean and wholesome condition, the premises properly heated and ventilated so as to avoid the accumulation of dust or poisonous gases.

### HEALTH OF EMPLOYEES.

No person who is suffering from tuberculosis, scrofula, communicable skin disease or venereal disease shall be employed in a factory or shop in which food or food material is manufactured, stored, or kept for sale.

### SLEEPING IN FACTORIES.

No one is permitted to use a factory or public laundry as a sleeping place nor shall a stable be kept under the same roof as a factory or bake-shop, except it is partitioned off to the satisfaction of the inspector.

### CLOTHING MANUFACTURERS.

Where a manufacturer gives out garments to be made at home he must exercise care that the garments are made in a sanitary place. A register of persons



taking garments to be made up must be kept for the inspector.

### SAFETY FIRST.

No child or girl under eighteen shall be allowed to clean or work with dangerous machinery and girls and women employed in factories must wear their hair in such a manner that it will not get caught in the machinery or belting.

The above Act is administered by the Factories Branch of the Agricultural Department, Parliament Building, Toronto. Address the Chief Factory Inspector.



# WORKING IN MINES

R.S.O., chapter 32.

157. No boy or girl under the age of fourteen shall be employed in or about any mine, and no boy under the age of seventeen years shall be employed below ground in any mine.

## WOMEN NOT ALLOWED.

No girls or women can be employed in or about any mine, except at office work.

## AN EIGHT HOUR DAY.

No workman shall be allowed to remain underground longer than eight hours in any one day.

## YOUTHS AND HOISTING.

No person under eighteen years of age shall be allowed charge of any hoisting apparatus at a mine.



## REFUGES FOR FEMALES.

There is important legislation to be found in "An Act respecting Industrial Refuges for Females." This Act is in Revised Statutes, chapter 289.

### COMMITTAL TO A REFUGE.

Sec. 3 states: Any female between the ages of fifteen and thirty-five years of age, sentenced or liable to be sentenced to imprisonment in a common gaol by a Police Magistrate, may be committed to an Industrial Refuge, and any such female undergoing imprisonment in a common gaol including imprisonment for default of payment of a fine may be transferred by order of a Police Magistrate or of the Inspector to an Industrial Refuge, to be there detained for an indefinite period not exceeding five years.

### INMATE OF INDUSTRIAL SCHOOL.

An inmate of an industrial school for girls may be transferred to and detained in an Industrial Refuge.

### RELEASE OR TRANSFER.

Any inmate of an Industrial Refuge may be released on parole by the Inspector and any inmate who proves unmanageable may be transferred from the Refuge to the Reformatory for Females.



## CHARITABLE INSTITUTIONS.

Under the Act relating to hospitals and charitable institutions known as chapter 300, Revised Statutes of Ontario, the various regulations for the conduct of such institutions are given.

### GOVERNMENT GRANTS.

The Government grant towards the maintenance of destitute persons in hospitals is twenty cents per day.

For inmates of refuges, 7 cents per day.

For infants under 1 year, 2 cents per day and for nursing mothers, seven cents per day.

For orphans 2 cents per day.

All institutions receiving aid must submit their by-laws and other regulations to the Provincial Inspector for his approval.

### PRIVATE HOSPITALS.

All private maternity and other hospitals must apply to the Provincial Secretary's Department for a license and the location and manner of conducting such institutions must be approved of by the Inspector.

The fee for private hospitals is five dollars per year.



## CARE OF THE INSANE.

Full particulars of the methods followed in dealing with the insane can be found in Chapter 295 of the Revised Statutes of Ontario, being "An Act Respecting Provincial Hospitals for the Insane and the custody of Insane Persons."

### HOSPITALS. NOW.

It should first be noted that by a recent amendment the term "asylum" gives place to the newer and more appropriate definition "hospital."

### HOW ADMITTED.

Admissions are made upon the certificates of two doctors each of whom must at separate times examine the patient and give a full description of the facts upon which he bases his opinion. Each certificate must be signed in the presence of two witnesses.

The certificate together with a family history and the financial standing of the patient must be made out on printed forms supplied by the Provincial Secretary's Department.

### DESTITUTE PERSONS.

Where the patient is in destitute circumstances a medical fee of five dollars is payable to each physician by the Municipality and arrangements for conveying the patient to the institution have to be made with the Provincial Secretary's Department.



## VOLUNTARY PATIENTS.

The superintendent of an institution may receive a patient who voluntarily makes an application for admission but cannot detain such a person more than five days after he has given notice of his desire to leave.

## DANGEROUS INSANE PERSONS.

Should any person be insane and dangerous to be at large he may be arrested without warrant and confined in some respectable place other than a lock-up or prison until the question of his sanity is determined.

The Justice dealing with the case shall immediately transmit to the Provincial Inspector the medical certificates and depositions, so that arrangements can be made at once for admission to a suitable institution.

## PROPERTY OF PATIENT.

The Provincial Inspector becomes automatically the guardian of the patient's property and may administer his estate for the benefit of the patient or any persons depending on him.

## MAINTENANCE OF PATIENTS.

The parents are responsible for the maintenance of any patient under 21 years of age. A husband is liable for the maintenance of his wife.



# PRISONS.

(R.S.O. Chap. 287.)

While awaiting sentence or when committed for a period less than three months a prisoner is confined in the municipal or county gaol.

When sentenced to a period of over three months and under two years a prisoner is taken to the Ontario Reformatory at Guelph, formerly known as the Central Prison, Toronto.

Any person sentenced over two years is taken to the Dominion Penitentiary at Kingston.

## WOMEN PRISONERS.

Immoral women can now be committed for a period of over three months and under two years and confined in the Andrew Mercer Reformatory, Toronto. Those sentenced for over two years are taken to the Dominion Penitentiary at Kingston.

## INDETERMINATE SENTENCE.

A new provision in the Act respecting the Reformatory of Ontario states that every person sentenced directly to the Reformatory shall be sentenced to imprisonment therein for a period of not less than three months and for an indeterminate period thereafter of not more than two years less one day.



## BOARD OF PAROLE.

Provision is made for an Ontario Board of Parole to meet at regular intervals and decide upon the prisoners worthy to be recommended to the Minister of Justice for remission of sentence.

## EMPLOYMENT OF PRISONERS.

Prisoners may be employed at any occupation for which they are suited and may also be employed beyond the limits of the reformatory.

## DEPARTMENT OF JUSTICE.

The minister of justice at Ottawa is the court of final appeal for all who have been convicted of an indictable offence.

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## INDUSTRIAL FARMS.

The Act respecting Industrial Farms will be found in the Revised Statutes of Ontario, chap. 292.

A city or county council may establish and maintain an industrial farm for the better employment of persons committed to imprisonment.



## SANATORIA FOR CONSUMPTIVES.

Provision is made under Chapter 298 of the Revised Statutes for the establishment by the municipality of an institution for consumptives. If certain conditions are complied with the government will give a grant of \$4,000 toward the building fund and will pay \$3.00 per week for any patient who is not able to pay more than 70c per day.

An indigent patient from another municipality that does not maintain an institution of its own must be paid for at the rate of 70c per day.

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## THE MUNICIPAL ACT.

The Municipal Act occupies nearly 300 pages in the Revised Statutes (chap. 192) and is the authority on which all municipal government is based.

Copies of the Municipal Act can be purchased from the King's Printer at fifty cents each, and should be secured by all who wish to familiarize themselves with municipal powers and prerogatives.



# ONTARIO

## LIQUOR LICENSE ACT.

This Act will be found in the Ontario Statutes, chapter 215 and any information can be secured by addressing the Chief Inspector, Parliament Buildings, Toronto.

### INTOXICANTS.

Any liquor which contains more than two and one-half per cent. of proof spirits, shall be conclusively deemed to be intoxicating.

### COMMISSIONERS.

Sec. 3 provides for the appointment by the Government of three persons as license commissioners without salary, for each city or county.

Their duties include: Limiting the number of tavern and shop licenses, respectively, and for defining the times and localities for issuing licenses.

The license year begins on the first day of May.

### LICENSE INSPECTORS.

Section 6 provides for the appointment by the Government, of Inspectors for each city, county or district to enforce the provisions of the act.



## MINISTER MAY PROHIBIT LICENSE.

Sec. 9 states that, notwithstanding anything in the Act the Minister may at any time prohibit the granting of a tavern or shop license. He may also prohibit the issue of a wholesale license or a brewer's or distiller's warehouse license, if he deems such refusal expedient in the public interest.

## LIQUOR PROHIBITED ON BOATS.

Sec. 10 states: No license shall be issued for the sale of liquor on any ferry boat or any vessel navigating any of the great lakes or the Rivers St. Lawrence or Ottawa or any of the inland waters of the Province of Ontario; nor shall liquor be sold or kept for sale in any room or place on any such vessel.

## NEW LICENSES.

Sec. 11.—Provision is made that all new licenses or application for a transfer to another neighborhood must be advertised fourteen days before consideration.

Any ten electors in the polling subdivision may object to the granting of a license in the subdivision.

The ground of objection may be that the quiet of the place in which such premises are situate will be disturbed if a license is granted.



## BARTENDERS MUST HAVE LICENSES.

Sec. 11 (c).—Requires that Bartenders must be of respectable character and must take out a license.

Licenses will not be issued to any woman or to any man under twenty-one years of age.

## ACCOMMODATION FOR TRAVELLERS.

Sec. 27.—Every person holding a tavern license must provide sleeping rooms and meals for travellers; also proper stabling for horses.

## LICENSE FEES.

Sec. 40.—In cities over 200,000 population, the fee for a tavern license is \$1,600 and for a shop license \$1,000.

In a city having a population of more than 30,000 and not more than 100,000 the fee in either case is \$700.

In smaller places the fee ranges from \$500.00 to \$120.00.

In addition there is a fee of 5 per cent. on the gross receipts, when the amount taken in any bar-room exceeds the sum of sixty dollars per day.

## LIQUOR AND DRUG STORES.

Sec. 52.—Druggists are permitted to sell liquor for strictly medicinal purposes on



a medical certificate, the quantity not to exceed six ounces at any one time.

### HOURS OF SALE.

Under sec. 54 and amendments the legal hours for sale are from 8 a.m. to 11 p.m., and on Saturday from 8 a.m. until 7 p.m.

No liquor can be sold on Christmas day or any day on which a poll is being held throughout the municipality or in the electoral district in which license is situate.

### MUST NOT SOLICIT BUSINESS.

Under section 57 no person holding a license is permitted, either by himself or agent, to solicit orders for liquor.

### SHOP LICENSE.

Premises for which shop licenses are granted must be entirely separate from any grocery or other business, and liquor purchased cannot be consumed on the premises.

### CANNOT ACCEPT CHEQUES.

Under sec. 67 cheques or orders for wages cannot be accepted or cashed in any licensed house.

### DISORDERLY CONDUCT.

Under sec. 76 it is an offence to supply liquor to any drunken person or to permit quarrelsome or disorderly conduct, on the premises.



## LIQUOR TO MINORS.

Sec. 78 prohibits any person from giving or selling liquor to any one under twenty-one years of age with the exception of liquor supplied by a parent or a physician.

Licensed persons are prohibited from permitting young persons to enter or loiter about a bar-room.

Any young person to whom liquor is sold or supplied may be compelled by the magistrate to reveal the name of the person guilty of selling or supplying such liquor.

## DRUNKARDS.

Under sec. 124 magistrates may prohibit the sale of liquor to a habitual drunkard.

Any near relative can have any licensed house prohibited from selling liquor to a drunkard, by giving notice in writing on a form prescribed in the Act.

## LOCAL OPTION.

Under sec. 141 the council of a township, city, town, or incorporated village may pass by-laws prohibiting the sale of liquors, provided the by-law is duly approved of by the electors as provided for in the Act. Three-fifths of the electors voting being necessary to carry the by-law.



## MARRIAGE ACT.

The Act relating to the solemnization of marriage will be found in the Revised Statutes, chapter 148.

### CANNOT MARRY UNDER FOURTEEN.

16. No license shall be issued to any person under the age of fourteen, and no person shall perform the marriage ceremony where either of the contracting parties are under fourteen.

### UNDER EIGHTEEN.

15. If either party is under eighteen the consent of the father, mother or guardian must first be obtained.

### IMPROPER OR HASTY MARRIAGES.

By a recent amendment to the Marriage Act any license issuer or clergyman who facilitates the marriage of an idiot or insane person, or anyone under the influence of liquor, is liable to a heavy penalty.

Fifteen days actual residence is necessary, or publication of the event three weeks in advance. The registrar-general may, however, issue a special permit.



## HOUSES OF REFUGE.

EACH COUNTY IS REQUIRED TO HAVE A  
HOUSE OF REFUGE.

Any person authorized for that purpose by by-law of the County Council may by writing under his hand and seal commit to the House of Industry or of Refuge to be employed and governed according to the Rules, Regulations and Orders of the House:—

1. Poor and indigent persons who are incapable of supporting themselves.

2. Persons without the means of maintaining themselves and able of body to work, and who refuse or neglect to do so.

3. Feeble-minded persons, not fit subjects for commitment to Hospitals for the Insane. R.S.O. chapter 290.

### CHILDREN NOT ADMISSIBLE.

No child between the ages of two and sixteen shall be received in a House of Refuge.



## COMMITTEE OF MANAGEMENT.

The council shall appoint two persons who, with the warden shall form a board of management.

### DETENTION OF INDIGENT PERSONS.

The head of the council shall have authority to order an indigent person to be received and detained in the refuge.

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### MAINTENANCE OF WIFE.

A married woman, deserted by her husband, may summon him before a police magistrate, or two justices of the peace, who, if satisfied that the husband being able wholly or in part to maintain his wife, or his wife and family, has wilfully refused or neglected so to do, and has deserted his wife, may order that the husband shall pay to his wife such weekly sum, not exceeding \$5, with or without costs, as the magistrate or justices may consider proper, having regard to his means and to any means the wife may have, for her support and the support of the family. R.S.O. chapter 152.



## OFFENSIVE WEAPONS.

The Ontario Act dealing with offensive weapons is very strict in its provisions. R.S.O. chapter 239.

Storekeepers or others are prohibited from selling any revolver, pistol, air gun, bowie knife or dagger, unless the purchaser can present a certificate from the Supt. of Provincial Police, or a chief constable, that he is entitled to have such a weapon in his possession.

Careful records must be kept of all sales, so that they can be referred to at any time.

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## HOUSING ACCOMMODATION.

Under chapter 220 of the Revised Statutes an association may be formed in any municipality to build workingmen's dwellings, and the council may guarantee the bonds of the association with a view to facilitating the erection of such houses.



## PUBLIC HEALTH.

The Ontario Public Health Act will be found in the Revised Statutes, chapter 218. It provides for local Boards of Health and city, county and district inspectors.

Very wide powers are given for the inspection and regulation of all matters affecting in any way the health of the community.

Information can be secured at any time by addressing the Chief Officer of Health, Parliament Buildings, Toronto.

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## DEPORTING UNDESIRABLES.

Any official or social worker knowing of undesirable citizens who have not been residents of Canada for three years can apply to the Inspector of Prisons and Charities, Parliament Buildings for printed forms, on which application for deportation can be made. The chief causes for which deportation is asked are insanity or feeble-mindedness, conviction of crime, chronic idleness or dependence on charity.



## APPRENTICES AND MINORS.

### CHAPTER 147, R.S.O.

3. A parent, guardian or other person having the care or charge of a minor, or a charitable society authorized by the Lieutenant-Governor to exercise the powers conferred by this Act, and having the care or charge of a minor, may, with the minor's consent, if the minor is a male not under the age of fourteen years, or is a female not under the age of twelve years, and without such consent if he or she is under such age, constitute to be the guardian of the child, any respectable, trustworthy person who is willing to assume, and by agreement assumes the duty of a parent towards the child. The guardian shall thereupon possess the same authority over the child as he or she would have were the ward his or her own child, and shall be bound to perform the duties of a parent toward such child.

4. No minor who has been abandoned by his parent or guardian, or who is dependent upon charity for support shall be removed from any public or private charitable institution, or from the custody or control of any private person who is charitably taking care of the minor, by



the father or mother or guardian of the minor against the will of the head of such public or private charitable institution, or such private person without an order for such removal from a judge of the high court or from the judge of the county court of the county, or mayor or police magistrate of the city or town where the minor is, and the judge or other person hereby empowered to make an order for removal may refuse to grant an order for the removal of the minor unless he is satisfied that the removal will tend to the advantage and benefit of the minor.

By Order in Council the Children's Aid Societies of the Province have been given the powers conferred by this Act.



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